

LOCAL DEMOCRACY

*Its development, dangers,
and opportunities*

by

E. M. Hutchinson

W.E.A. STUDY OUTLINE No. 14

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opportunities in Local Government**

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AUTHOR'S NOTE

DURING ALL, save a few months of my working life, I have been a Local Government Officer. This short study in Local Government carries the impress of the angle from which I have seen it operate and it may be deemed less than fair to the work of elected representatives.

If I have not attempted to avoid this bias it should be remembered that there are no limitations (save the law of libel!) on the freedom of representatives to say what they will on the subject. Senior officers are apt to feel a certain reluctance to commit themselves with equal freedom, lest they be accused of overstepping conventional boundaries. In America it has recently been suggested that because the late director of T.V.A. (wrongly, it is admitted) was once accused of addiction to communism, he is now unfit for government service !

Even here, your public servants are inclined to political self-emasculation and are apt to become cynical about the machinery of democratic government. The remedy is in your hands.

IT CANNOT BE the task of an outline study such as this to set out at length details of the constitutions, powers and duties of the bodies which to-day administer local government in England and Wales. This has been done within a relatively brief compass in three recently published books¹ to which readers are referred.

It is hoped, rather, to make certain suggestions as to lines of study which may be of service to W.E.A. classes and groups, and to individuals who, as members of local councils or in other capacities, find it difficult to see the wood for the trees.

The following pages contain three principal sections. The first presents a brief picture of local government as it exists to-day; the second outlines what may rather ambitiously be termed "a general theory of local government", in which some current problems are set against the lessons of history, whilst the final section is concerned with the problem of securing a greater measure of "participating" democracy in local affairs.

TO-DAY

The term "Local Government", as it is generally understood, comprises the modes of creation and the working organisation of local councils, and is descriptive equally of the powers and duties possessed by those bodies.

Councils are elected as executive organs of government acting within defined areas and powers. There are six classes of council, amongst which functions are dispersed and assembled in variously shifting combinations. Broadly, the greater the density of population the greater the concentration of functions in a single body. Thus, there are eighty-three urban areas which possess single elected bodies concentrating in themselves the powers and duties which are elsewhere shared by two, or (in rural areas) three overlying councils. The areas of the single, all-purpose councils, are described as County Boroughs. Such areas are contained within the geographical counties, but are outside the area of operation of the County Councils. Within the "administrative" as distinct from the geographical county, other urban communities may have the status of Non-County Boroughs or of Urban Districts. The remainder of the County Council area is divided into Rural Districts, within which civil parishes, either singly or in combination, may have Parish Councils. It is customary to speak of County Councils and County Borough Councils as "Major Authorities" and of the remaining types as "Minor Authorities", the County Council being responsible within the areas of the minor authorities for certain important services.

County, Borough, and Parish have been recognised as areas of local administration for long periods. So far, however, as modern local government is concerned, the degree of historic continuity from a remote past is

¹*The Councillor's Handbook*. H. Townshend Rose and H. R. Page. Pitmans, 1945.

Local Government. T. R. Jackson. Penguin Books.

The English Local Government System. J. H. Warren. Allen and Unwin Ltd.

See also suggestions for further reading on pp. 26 and 27.

small; the present framework is essentially a nineteenth century creation. I mention this because for practical purposes the definitive Act of Parliament, so far as the structure of local authorities is concerned, is now the Local Government Act, 1933. Without, however, knowing of the existence of earlier legislation, the Act of 1933 is a curious document. Why, for example, should election of councillors in Counties, Boroughs and Districts respectively, occur at different dates? Why do County and Borough Councils, but not District Councils, contain a co-opted element in the form of aldermen? Why should the accounts of County and District Councils, but not in general those of Borough Councils, be audited by officials of the Ministry of Health? Why should the appointment of a Finance Committee be mandatory on a County Council but not be statutorily required in the case of other local authorities outside London?

Such a list of questions could be considerably extended and the broad answer to all of them is that the Local Government Act of 1933 was a consolidating measure which, in the effort to avoid controversy, consolidated some of the anomalies as well as the uniformities produced by a century of diverse developments.

I have already mentioned one Act of Parliament and, for the serious student of local government, there is no escape from familiarity with statutory provisions, since local authorities are statutory creations. Thus, they are "bodies corporate and have perpetual succession and a common seal", which means that in law, the Mayor, Aldermen and Burgesses of a borough, and elsewhere the elected council are treated as persons irrespective of the individual members constituting them at any time. It is an important principle that such fictitious, but legal persons, can only do those things that they are specifically authorised by law to do. This is expressed in the Latin phrase *ultra vires* (literally "beyond the powers") and that an authority should not act *ultra vires* is a doctrine of the first importance in the understanding of local government².

As many readers will know, custom and precedent, as well as statute, may be sources of law, but in so far as local authorities are statutory creations or draw their powers and duties from statute, they are in the last resort controlled by the central government. So it is Parliament that has decided who may be elected as a member of a local authority and who may do the electing. As the law now stands, a local government elector is one whose name appears as such, in the register of electors which is published in respect of each of the various electoral divisions. In order to be so registered one must be of full age, and not be an alien, lunatic or person of unsound mind, a person guilty of corrupt and illegal practises or a person undergoing imprisonment for treason or felony. The ordinary register is compiled twice yearly on the basis of residence, but there are also special provisions for people with business premises in an area and for members

²This is sometimes disputed in regard to boroughs which are formally incorporated by royal charter but the point is now little more than academic. All new boroughs are incorporated in accordance with a scheme derived from statute.

of the forces. You cannot use a "business premises" vote in an electoral area in which you exercise a vote as a resident.

To be elected as a member of a local authority a person must be of full age and a British subject and must be either a local government elector for the area, a land-owner within the area or have resided there during the whole of the twelve months preceding the day of the election. Not only must you be so qualified but you must be free from certain disqualifications designed to prevent election of self-interested persons, or of those who by failure of personal character or capacity have shown themselves clearly unfit for public office. The details of these disqualifications are too lengthy to reproduce: they can be found in Section 59 of the Local Government Act, 1933. Neither in terms of qualifications nor disqualifications is the law concerned to verify your knowledge of the task you are undertaking in choosing a public representative, or yourself becoming such a choice.

So much for the composition of local councils: what in fact are the purposes for which a number of citizens are chosen by their fellows to act on behalf of all? Recognising the differences between areas and between the needs of their inhabitants I suggest as a broad description:—"protection of lives, liberties and properties; prevention and treatment of ill-health and enhancement of good health by social action; provision of education and cultural facilities; the public supply of heat, light, power and transport; the defence and extension of amenities". This generalisation is only one of many possible classifications of the work of Local Government: however the catalogue is compiled, it is reflected physically in the existence of specialised institutions and hospitals, houses, schools, police stations, refuse destructors, sewage works, swimming baths, public libraries and a vast apparatus of social integration—roads, drains, dustbins, water pipes, trolley buses, to name only a few examples. It is reflected also in the existence of a specialised occupational group, permanent employees of local councils, whose particular professional, technical and craft skills are necessary to the functioning of these physical resources.

How do the elected persons who comprise the local government bodies of county, town and parish bring these physical structures into being and direct those employed about them? The classical doctrine is that it is the task of the Council to propound a policy and to supervise its development. For skilled advice and executive action they look to the permanent staffs they employ, who are not themselves responsible for the initiation of policy.

To secure an effective concentration around specific subjects, Councils appoint from amongst their numbers, groups to act as committees concerned with particular or inter-related sections of the council's work. In certain matters, *e.g.*, education, public assistance, maternity and child welfare, county finance, the appropriate councils are compelled to appoint these groups. In addition to "statutory" committees, councils have a general power to appoint such committees and sub-committees as they consider necessary, and save insofar as finance is concerned, they may co-opt

from outside the council a limited number of people to serve on them, with a presumption, not always supported in practice, that co-opted members are persons of special knowledge and experience.

If policy-making is deemed to be the prime task of the elected body, how does this square with the earlier statement as to the limitation by statute of their powers and duties? Acts of Parliament prescribe what *is* to be done, i.e., *duties*, or what *may* be done, i.e., *powers*. The task of the council within statutory limits is to determine *how* duties shall be performed and what range of powers, i.e., permissive functions, shall be exercised. Even within these terms the freedom of local authorities has increasingly been restricted by requirements that proposals for administration shall be set out in schemes requiring central approval. The absolute power of initiation is a limited one and hinges on the right to ask Parliament for special powers exercisable only in the area of the local council promoting a local bill in Parliament. It is scarcely too much to say that the autonomy of local authorities is the freedom to do too little rather than too much.³

It may be useful to set out in summary form a broad division of powers and duties as between the different classes of authorities. In studying this summary, it should be remembered that the County Council, as a major authority, can delegate certain functions to District Councils and in some matters can act in default if a minor authority fails in its own statutory duties, a power more valuable for its existence than for the frequency with which it is used. In regard to highway maintenance and repair, County Councils exercise a general technical and financial control, but detailed execution of works is undertaken by certain urban authorities. Similarly, regard must be had to the possibility of combination of authorities by formation of joint committees and joint boards as a method of overcoming difficulties arising from boundary limits which have not been fixed in terms of modern service. This is the device which has recently been adapted to the setting up of County Divisional Executives under the Education Act, 1944.

Differing practices from area to area, and uneven development of population growth, have created many anomalies which a tabular statement cannot reveal. The summary, therefore, should be taken rather as a basis for enquiry in any particular locality than as a statement complete in itself.

Although in its earlier forms local government relied on compulsory unpaid service, e.g. for maintenance of roads and local security, it was realized by the beginning of the seventeenth century that monetary taxation was a necessary corollary of some forms of public service and, in principle, our local taxation system is based on the Act for the Relief of the Poor of 1601. To-day concentration of effort for public purposes is secured by requiring

³ "The Board (of Education) has regarded it as its duty to be very chary of interference with the independence of the backward local authorities but has not hesitated to check the zeal of the most progressive ones". *Plan for Education*, p. 16 (W.E.A.).

"Members of a local authority may be surcharged by the District Auditor if it overspends, but there is no penalty, short of the odium of a public inquiry, attached to underspending". *Report of the Care of Children Committee*. Cmd. 6922, p. 141.

PRINCIPAL SERVICES OTHER THAN TRADING
SERVICES, I.E., SERVICES MET FROM RATES
AND TAXES

AUTHORITIES ADMINISTERING THE SERVICE

(Note: The word "Yes" indicates that all the authorities in the particular class have power to administer the service; the word "Some" indicates that some but not all of the authorities in the particular class are empowered to do so. Further details are given in the notes. The powers may be exercised through a Joint Board or a Joint Committee).

	COUNTY BOROUGH COUNCILS	COUNTY COUNCILS (OTHER THAN L.C.C.)	NON-COUNTY BOROUGH COUNCILS	URBAN DISTRICT COUNCILS	RURAL DISTRICT COUNCILS	LONDON COUNTY COUNCIL	METRO- POLITAN BOROUGH COUNCILS (a)
1. Education	Yes	Yes	(c)	—	—	Yes	—
2. Public Libraries	Yes	Yes (b)	Some (d)	Some (d)	—	—	Yes
3. Public Health :							
(i) Sewerage and Sewage disposal	Yes	—	Yes	Yes	Yes	Yes (e)	Yes (e)
(ii) Refuse removal and disposal	Yes	—	Yes	Yes	Yes	—	Yes
(iii) General Hospitals and T.B., V.D. and Cancer Hospitals, etc.	Yes	Yes	—	—	—	Yes	Yes (f)
(iv) Hospitals for infectious diseases	Yes	Yes (g)	Yes (g)	Yes (g)	Yes (g)	Yes	—
(v) Notification of disease, disinfection, etc.	Yes	—	Yes	Yes	Yes	—	Yes
(vi) Maternity and Child Welfare	Yes	Yes (b)	Some	Some	Some	Yes (h)	Yes (h)
(vii) Midwives (supervision, etc.)	Yes	Yes (i)	Some (i)	Some (i)	—	Yes	—
(viii) Baths, washhouses, etc.	Yes	—	Yes	Yes	—	—	Yes
(ix) Parks, pleasure grounds, etc.	Yes	Yes	Yes	Yes	Yes (j)	—	—
(x) Welfare of the Blind	Yes	Yes	—	—	—	Yes	—
4. Food and Drugs:							
(i) Control of conditions of milk production	Yes	Yes	Yes	Yes	Yes	—	Yes
(ii) Meat Inspection at time of slaughter	Yes	—	Yes	Yes	Yes	—	Yes
(iii) Functions of a "Food and Drugs Authority" (k)	Yes	Yes (b)	Some	Some	—	—	Yes
5. Poor Relief	Yes	Yes	—	—	—	—	—
6. Mental Hospitals	Yes	Yes (b)	Some	—	—	Yes	—
7. Mental Deficiency	Yes	Yes	—	—	—	Yes	—
8. Housing and Town and Country Planning	Yes	Yes (l)	Yes	Yes	Yes	Yes (m)	Yes (m)
9. Allotments and Small Holdings	Yes	Yes (n)	Yes (o)	Yes (o)	(o)	—	Yes
10. Highways and Bridges:							
(i) Class 1 Roads	Yes	Yes	—	—	—	—	Yes
(ii) Other Roads	Yes	Yes (p)	Yes (p)	Yes (p)	(p)	Yes (q)	Yes (q)
11. Private Street Works	Yes	Yes	Yes	Yes	(r)	—	Yes
12. Public Lighting	Yes	—	Yes	Yes	Yes	—	Yes
13. Police	Some (s)	Yes (b) (t)	Some	—	—	—	—
14. Administration of Justice	Some	Yes (b)	Some	—	—	Yes	—
15. Approved Schools and Remand Homes	Yes	Yes	—	—	—	Yes	—
16. Valuation for Rates	Yes	(u)	Yes	Yes	Yes	—	Yes
17. Rating (levying and collection)	Yes	—	Yes	Yes	Yes	—	Yes
18. Water supply	Yes (v)	(w)	Yes (v)	Yes (v)	Yes (v)	—	—
19. Burial grounds and cemeteries	Yes	—	Yes	Yes	Yes	—	Yes
20. Rivers pollution prevention	Yes	Yes	Yes	Yes	Yes	Yes	—
21. Weights and Measures (inspection and verification)	Yes	Yes (b)	Some	—	—	Yes	—

NOTES

- a) The Common Council of the City of London have more extensive powers than the Metropolitan Borough Councils, but these are not shown in this statement.
- (b) In some counties the County Council is the authority for part only of the administrative county.
- (c) A Joint Education Board appointed under Part I of the First Schedule to the Education Act, 1944, may include a Borough having a population of not less than one half of the population of the County according to the last census before the passing of the Act.
- (d) Areas in which the powers of the District Councils to adopt the Public Libraries Acts have not been taken over by the County Council.
- (e) The County Council are responsible for main sewers; the Metropolitan Borough Councils for local sewers.
- (f) The Metropolitan Borough Councils are responsible for the T.B. dispensary service only.
- (g) County Councils and the Councils of county districts have concurrent powers. A County Council is responsible for seeing that adequate arrangements are made in the county.
- (h) Broadly, the L.C.C. provide institutional treatment only.
- (i) The Local Supervising Authorities are the County Councils and certain County District Councils who are Welfare Authorities under the Public Health Act, 1936.
- (j) Powers exercised to a very limited extent, the service being provided mainly by the Parish Councils.
- (k) A "Food and Drugs Authority" is charged with the duty of enforcing certain provisions of the Food and Drugs Act, 1938, with a view to securing that food and drugs are sold only in a pure and genuine condition.
- (l) Limited functions for housing mainly for housing of employees and under the housing (Rural Workers) Act.
- (m) The L.C.C. are responsible for town planning and the larger housing schemes. County and County Borough Councils are to become planning authorities under new legislation.
- (n) Small holdings only.
- (o) Allotments only, but these Councils may act as agents for the County Council in respect of small holdings. In Rural Districts the Parish Council or the Parish Meeting is the allotment authority.
- (p) Broadly, County Councils are responsible for classified roads in the whole of the County and all roads in Rural Districts. Certain County District Councils maintain county roads at the cost of the County Council.
- (q) The L.C.C. are responsible for street improvements, tunnels and county bridges; the Metropolitan Borough Councils for streets and minor bridges.
- (r) Under delegated powers only.
- (s) In County Boroughs the Police Authority is generally the Watch Committee. In some County Boroughs the Police Authority is the Commissioner of the Metropolitan Police District or the Standing Joint Committee or a new Police Authority under emergency arrangements.
- (t) In Counties the Police Authority is the Standing Joint Committee. In certain Counties special emergency arrangements have been made. Non-County Boroughs have lost their powers under recent legislation.
- (u) The County Valuation Committee is responsible for the promotion of uniformity of valuation in the County.
- (v) Unless supply is provided by incorporated company under statutory powers.
- (w) County Councils have power to make contributions to County District Councils in respect of water supply. In addition they may be required to act in the case of default by the County District Council.

NOTE.—Public Health Services listed as 3 (iii); 3 (iv); 3 (v); 3 (vi); 3 (vii); 6 and 7 will be affected by the new legislation.

financial contributions which can be spent on appropriate goods and services.

The ordinary revenues of all types of local authorities can be divided into three broad classes:—

1. Rents, fees and charges.
2. Receipts from local taxation, i.e. rates.
3. Receipts from national taxation, i.e. grants.

A false antithesis is frequently made between services charged for specifically and those paid for out of taxation and too frequently spoken of as "free" services. There are, of course, no "free" services, but the adoption of one method of financing public services as opposed to another may alter the incidence of the charge for the service as between different individuals and groups. The essential difference between taxation and specific charges is that the first does not permit of individual choice. The motor car owner who sends his child to a private school can avoid payments for the use of municipal transport, but cannot avoid contributing towards the cost of public education.

The importance of "rates" in the economy of local government is great. They are the price of the degree of autonomy that local authorities do, in fact, enjoy and it is, therefore, the more serious that this form of local taxation is open to grave objections. Rates are assessed by reference to the annual rental value of occupied property and because, so far as individuals are concerned, rents do not tend to rise proportionately with increasing incomes, rates related to rents press most heavily on lower income groups. Nor are rates related to personal factors, such as size of family and, in some cases, nature of occupation, which largely determine the type of property occupied. The concentration of occupational types in particular areas results in great variations of local taxable capacity as between, for example, mining towns and villages on the one hand and seaside resorts on the other.

As long ago as the middle of last century it was recognised that certain of the services administered by local authorities had an importance extending beyond the boundaries of the particular administering authority. On the basis of this recognition, the central government has made expanding contributions from revenue raised by national taxation, as grants-in-aid of local expenditure. To-day, excluding the main trading undertakings, such as gas, transport, electricity and water supply, these grants amount to approximately half the total expenditure of local authorities.

The grants for education, police, county highways, and certain less important services, are calculated as a percentage of the authority's expenditure. Housing subsidies can be described as "unit" grants, being related to the actual numbers of houses erected. Apart from percentage and unit grants, a sum of approximately £46,000,000 is distributed amongst local authorities on the basis of a formula designed to equate local needs with local capacity to pay for them. This is what is known as the "block grant".

Grants-in-aid bring in their train central regulation, inspection and audit. This trinity of powers vested in the central government reinforces the doc-

trine of *ultra vires* in the most practical manner, as does the control exercised over borrowing by local authorities for capital purposes. The experience of local government acting as war-time agents for the central government on a basis of 100 per cent. reimbursement of cost, has made it clear that any recognisable measure of local autonomy must hinge on the raising of a substantial revenue from local taxation, whether in the form of rates or some substituted system.

PERSPECTIVE FOR PROGRESS

I have said no more in the first section than will indicate the general character and scope of local government as it exists in England and Wales to-day. It should, perhaps, be mentioned that the Scottish system differs in so many particulars as to require separate treatment, whilst the position in the Metropolis is also peculiar to the circumstances of that exceptional area.

Before we can usefully consider the part played by local government in the general scheme of social life, and certainly before we can hope to estimate its achievement and shortcomings, we must secure a historical perspective.

It is true, as we have seen, that the Local Government Act, 1933, may almost be considered as a "written constitution" and despite the anomalies mentioned on page two, an enquiring foreigner might well conclude on the evidence of that Act alone, that our system of Local Government was based in the main on an ordered series of elected bodies uniform within their series, in constitution, areas of operation, range of functions and financial capacity. How wide he would be of the truth! He would gain no hint of the diversity of facts that underlies the uniformities of nomenclature: the existence of Rural Districts greater in area and population than some Administrative Counties: population aggregates of 200,000 governed locally by Urban District Councils contrasting with County Boroughs with less than 30,000 inhabitants. These practical oddities find no reflection in the smooth statutory mirror⁴.

Nor would our foreign friend do much better in considering the work that local authorities do rather than their structural classification. He would find within the same county, authorities of equivalent size and status varying considerably in their range of functions. Some would be maternity and child welfare authorities, others not: in one town he might find answers to some of his questions in the public library and search in vain for a like institution elsewhere. In Goodtown he finds excellent parks, an admirable

⁴Populations of non-metropolitan authorities in England and Wales:—

'000s	County Councils	County Boroughs	County Boroughs	Urban Districts	Rural Districts	Total
Over 500.. ..	11	4	—	—	—	15
100-500.. ..	37	40	11	2	—	90
70-100.. ..	3	19	10	3	1	36
20- 70.. ..	8	20	142	109	116	395
10- 20.. ..	2	—	51	159	209	421
5- 10.. ..	—	—	32	150	112	294
Under 5.. ..	—	—	63	149	37	249
	61	83	309	527	475	1,500

swimming bath, a well planned civic centre. In Badtown, the children play in the streets, no cleaner certainly than they should be, and in his search for information he visits half a dozen offices scattered round the town. Finally, unless he is a very persevering student, he says: "Ah, the crazy English" and goes home.

What really lies behind these eccentricities? This is a valid question that has been asked with increasing insistence in recent years. My own preliminary answer is that in the fifth decade of the twentieth century we are still attempting to use a system of local government relevant, so far as it is relevant to anything, to the conditions of the nineteenth.

To justify this answer, I must have recourse to history, but before doing so I will suggest certain general characteristics that can, I think, be discerned despite the practical confusions of structure and function that I have sketched. Thus, subject to a number of qualifications, we can, I think, say that *politically* the system is *democratic* using the device of representative government; that *constitutionally* it is *subordinate* and that *administratively* it is *professional*. Let me expand these concepts a little.

When I say that it is democratic, I recognise that local authorities—the councils of counties, boroughs, districts and parishes—consist of elected and not nominated persons, chosen now by the inhabitants of certain geographical areas on the basis of complete adult suffrage. These persons are elected for terms of three years, at the expiry of which, if they wish to continue in office, they must re-submit themselves to the decision of the local electorate.

The statement that our system of local government is democratic must be qualified somewhat. Co-option of aldermen to the County and Borough Councils equal to one-third the number of elected councillors render these authorities not wholly democratic in structure, while the economic circumstances of individuals and groups and their access to organs of publicity and propaganda all condition the possibility of their representation on local governing bodies.

Local Government is subordinate, in that the authorities are themselves the creation of the state and draw their powers and duties from decisions of a single central legislature, including the extent to which they can convert labour and resources to local communal purposes. Here again this bald statement must be qualified by admitting that local authorities can initiate action by the legislature in the form of local acts and that they are not the mere creatures of central government since large discretion is left to them as to standards of local service and in some matters as to whether there shall in fact be any local provision at all.

In describing the system as administratively professional, I mean that it depends for skilled advice and executive action on paid and permanent employees. This is so much our normal assumption that we tend to forget that it is not universal; that in certain states of America for instance, a wide range of executive posts depend on political allegiance or are elective and

temporary. Even here the possibility of elective auditors in boroughs still exists and in recent years, we reverted in special circumstances to the use of compulsory serving, unpaid labour in civil defence and firewatching.

The development of these three characteristics were great achievements of the nineteenth century not confined in expression to Local Government. The reformed house of commons of 1832 and the extensions of the national franchise in 1867 and 1884; the emergence of the limited liability company; abolition of sale of army commissions and establishment of competitive entry into the civil service—all these reflect the same attitude of mind.

Despite these clear trends of the nineteenth century, our local government even now is not devoid of traditional elements dating back to "some yet older day", particularly in regard to the determination of areas, which is one of the acute points of controversy to-day. Let us examine briefly the stages by which the present set-up has been achieved.

The division of the country into Saxon shires, followed by the Norman conqueror's grants of lands to his principal followers provided the near outline of the county boundaries that still survive. The parish, fundamental basis of local government for nearly three hundred years, was the unit area of the early church.

To-day, more than 80 per cent. of our people are town-dwellers, but what to-day is common was once exceptional. Early towns were often embryo centres of trade whose inhabitants obtained special powers of local self government sometimes from lords of manors, more often directly from the King. These rights, concerning for example, freedom from manorial dues, control of markets and local courts of justice, were set out in written charters, still prized possessions of ancient centres such as Hull, Norwich and Preston.

At first in some, and later in all charters, the idea of continuity extending beyond the lives of individual men was recognised by treating the whole of the inhabitants at any time as a single person. This was called "incorporation" and the Mayor, Aldermen and Burgesses were (and still are) described as a "body corporate".

The local government of these chartered towns was closely linked with the guild organisation of industry and commerce, as in form it still remains in the City of London. When that decayed, standards of town government declined. After the sixteenth century a ubiquitous parish organisation, supervised outside the chartered towns by the country gentry acting as county justices of the peace, was left to wrestle with an increasing social responsibility. Relief of destitution, maintenance of civil order and repair of roads, were among the substantial tasks falling to be performed by unpaid workers—appointed by parish meeting in "vestry assembled" and serving compulsorily by the year—such as overseer of the poor, parish constable or surveyor.

The right of boroughs from the thirteenth century to send two members to Parliament, induced Tudor and Stuart monarchs to create new towns

and revise charters of old ones, restricting the number of freemen (who alone were entitled to vote in Parliamentary elections) and membership of the town corporation, so that the election of members of Parliament could be bought or controlled by bribery. Thus were created the "close" bodies as they were called, new members being co-opted instead of elected, which became a common feature of the seventeenth and eighteenth centuries.

Side by side with the inefficiency resulting from the corruption of corporate authority in the towns, new bodies were created in attempts to remedy separate evils in particular places. Local trustees for paving, sewers and roads—the famous turnpike trusts—for example, were established by thousands of local acts of Parliament. These were not democratic bodies, but they prepared the way and provided administrative experiments for public services essential to elementary hygiene and decency in the turmoil of the industrial revolution. When in the eighteenth and nineteenth centuries, industry migrated to new sources of power—water and the coal fields—population shifted and expanded with great rapidity. The swift cycle of canal, road and railway, facilitated this development: it is scarcely too much to say that the characteristic culture of centuries was submerged in three generations.

Against this background of economic transformation, accompanied by shifts in importance of social classes, occurred the Parliamentary and municipal reforms of the eighteen-thirties, the true foundations of modern local government. Speaking of the demand for municipal reform, Joseph Parkes, a leader of agitation in Birmingham, described it as "the steam engine that drove the mill of Parliamentary reform".

The new industrial leaders found themselves not only frequently disfranchised in national affairs, but excluded from municipal life, either by the close nature of existing town corporations,⁵ or by the absence of incorporation in the new manufacturing centres. Even Manchester, for example, was still governed by manorial courts, parish officers and local act commissioners.

Parliamentary reform, achieved only under active threat of revolution, still excluded the great mass of the people from a share in government: it was a recognition not of democracy but of a shift in the political centre of gravity from land ownership to industrial wealth. The Acts of 1834 and 1835 for amendment of the Poor Laws and the Reform of Municipal Corporations, are important for their effect on the structure rather than on the functions of local government. Representation, even though in part limited by property qualifications, replaced co-option; uniform constitutions were provided for town councils and the new Boards of Guardians that were formed to administer poor relief for groups or "unions" of parishes. Principles of control of great importance for the future were bound up in pro-

⁵"The eighteenth-century Municipal Corporation was indeed and considered itself as being far less an organ of Local Government in the modern sense than an institution for the management of a corporate property. Membership of this privileged body had come to be regarded almost as a property right—". G. D. H. Cole *Persons and Periods*.

visions for audit, inspection, accountability and central approval of dealings in land and borrowed money. These new bodies were the proper instruments of a middle class who sought "good rule and government" in the towns, and the reduction of the Poor Rates.

If we study the continuing development of local government during the nineteenth century, we can see something reflected of the forces at work during that time. What Sidney and Beatrice Webb described as "the Problem of Muck" with its associations of disease and squalor, played an important part in the development both of services and authorities. Surveys of sanitary conditions⁶ in the thirties and forties of the last century provide ample explanation for the high death rates from infectious diseases, and the provision of pure water and removal of street and house refuse raised novel problems of engineering and administration. The reformed municipal corporations were not established to deal with these problems, but over a number of years many of them came to do so. Parish organisation was quite incapable of dealing with them in the new and still un-incorporated urban centres. The creation of authorities by separate acts of Parliament for purposes of sanitary reform and regulation of town building, went on, gradually simplified by the passing of general acts containing set provisions which could be applied to areas where such special bodies were set up, whilst after 1848 a standard code for creation of Local Boards of Health existed and could be applied compulsorily if the death-rate exceeded twenty-three per 1,000.

These developments of law tending towards uniformity owed much to the zeal of such men as Edwin Chadwick, zealous but unpopular exponent of poor law and sanitary reform; to the early factory inspectors, and to humanitarians of whom Lord Shaftesbury is perhaps the most notable. The facts revealed by their practical researches provided fuel for two forms of revolt against the economic doctrine of absolute free-trade in human welfare as well as in commodities. The revolt of the working classes, whose support ensured the success of Parliamentary reform in 1832, was felt in recurrent protests culminating in the Chartist movement of the 1840's. The revolt of conscience, found expression in the books of Dickens and Reade and in the Christian socialism of Maurice and Kingsley, as well as in the development of municipal action under the leadership of business men like Potter, in Manchester, and later, Joseph Chamberlain, in Birmingham.

⁶e.g., as to Leeds and Manchester, cited by Engels in *The Condition of the Working Classes*:

"... the disgusting state of the working men's districts—which is chiefly attributable to their unpaved, drainless streets, irregular architecture, numerous courts and alleys, and total lack of the most ordinary means of cleanliness, all this taken together is explanation enough of the excessive mortality in these unhappy abodes of filthy misery".

That of Leeds and this of Manchester—

"The whole side of the Irk is built in this way, a planless, knotted chaos of houses, more or less on the verge of uninhabitableness whose unclean interiors fully correspond with their filthy external surroundings. And how could the people be clean with no proper opportunity for satisfying the most natural and ordinary wants? Privies are so rare here that they are either filled up every day, or are too remote for most of the inhabitants to use. How can people wash when they have only the dirty Irk water at hand, while pumps and water pipes can be found in decent parts of the city alone".

By 1875, when accumulated experience was brought together in the Public Health Act of that year, the country was dotted with Improvement Act Commissions and Local Boards of Health, whilst many municipal corporations were dealing with sanitation, street repair and cleaning, building regulations, etc., and had applied "adoptive"⁷ acts regarding baths, wash-houses and public lighting. By an Act of 1872 these areas were given the title of Urban Sanitary Districts with power to levy rates for the purposes of the Act. In the remaining areas the Boards of Guardians were given similar powers and responsibilities for those parts of the Poor Law Union not treated as separate urban districts. Superimposed on this jumble of expediency, the county justices, meeting in quarter sessions, had wide administrative tasks concerning police, roads, bridges, lunacy and the local administration of justice. The parish remained, shorn of ancient functions to a varying degree, but still responsible for the levy and collection of the poor rate, expanded in purpose to meet costs of some county and borough services.

The main structure of authorities as we now know them, dates from the establishment of County and County Borough Councils in 1888 and of District and Parish Councils in 1894. By the Local Government Acts of those years, elected councils substantially similar to those of the towns, were sent up in substitution for the rule of County Justices, *ad hoc* sanitary authorities, local boards of health and the ancient parish vestries.

Even as late as 1870 the beginnings of a new and important service, elementary education, were entrusted to specially created authorities, the school boards. Half a century was needed to bring even the areas of county boroughs into consonance with J. S. Mill's dictum in *Representative Government* that "in each local circumscription there should be but one elective body for all local business, not different bodies for different parts of it".

Something should be said of the conflicts as well as the common consents that have marked development in the last hundred years. The Poor Law Reform of 1834 was worked out in strict agreement with *laissez-faire* and Malthusian economics. The refusal of relief outside the workhouse and the separation of husband and wife within it, were bitterly opposed in the industrial north, where whole groups such as the hand-loom weavers were dispossessed by the new power industry. Peel's police reforms were devised for the protection of property, whilst sanitary reform was stimulated by the equal threat to rich, as well as poor, of epidemic disease, in particular, cholera. But the extension of the franchise and the humanitarian and political revolts against the human wastage accompanying the material expansion of the industrial revolution, made local government an instrument for promoting the claim to an equal commonwealth. The twentieth century endowment of opportunity, by care for mother and child, by education and control of environment, derive also from this tradition, a tradition which

⁷ Acts which only apply in particular areas if the local governing body so resolves in a special form.

has not been established, in the words of H. J. Laski, "without a profound and often passionate struggle".

I am not here attempting a detailed analysis of the historical factors that have conditioned the present system of local government. In the preceding paragraphs I have tried only to suggest a way of looking at the subject that will, I think, repay attention and provide some explanations for the inconsistencies and contradictions that now trouble us. Important as were the political and economic theorists of the eighteenth and nineteenth centuries, we have had no Napoleon, no Lenin, intent as a deliberate act of policy on the root and branch recasting of national and local institutions. Rather, if we apply to the study of our history what R. G. Collingwood calls the "logic of question and answer", we find the extent to which the present (to use his term) "incapsulates" the past. That, for example, our areas of local government are largely determined by decisions of seventy years ago, modified only slightly by the requirements of an age in which the important factors of transport and communication have undergone revolutionary changes; or that our basis for assessment to local taxation still stands related to a period when assessment was possible only by reference to tangible and visible evidence in the absence of general literacy and permanent professional staff.

Perhaps I can now expand my suggestions that our present system of local government is more relevant to the problems of the nineteenth century than the twentieth.

In the first place our present units are based on a conception of communities having common ties and interests.⁸ In many instances the territorial limits of such communities have in fact long ceased to coincide with administrative boundaries, and the adjustments resulting from the post-1930 review of minor authority boundaries by County Councils were far from adequate to amend this. Moreover community itself is a different idea when on the one hand, housing improvements have made the individual home a more self-contained unit, and on the other, public and private transport facilities have created a widening breach between place of work and place of living.

Secondly, the technical character of the services administered by local authorities has altered as compared with the period in which the main lines of our local government structure were determined. Developments in constructional methods, in civil, mechanical and electrical engineering, enable us to think in new structural terms. Schemes for sewage disposal and for the supply of water, heat, light, power and transport, can most economically be designed for areas far exceeding the limits of individual boroughs and districts. Specialisation of health services means that the appropriate treat-

⁸How far this was ever true may be doubted. "The new authorities, since they included boroughs where the community sense was necessarily strong and Improvement Act and Local Government Act Districts which owed their very existence to an up-rush of local initiative, corresponded (at all events at the time of their formation) with the actual existing communities in the country. It would be too much to say, however, that the poor law unions who became the rural authorities, having been originally formed for reasons of administrative convenience ever had a very strong sense of community". *Local Government Law and Administration*. Vol. VIII. p. 104.

ment centres require a widening area from which to draw an adequate number of patients able to benefit from the facilities available, and something similar is true of centres for specialised instruction and education.

A third matter concerns the development of the technical and professional element amongst permanent officials to a degree unthought of in the nineteenth century, and the failure to restate relationships between officials and representatives which have been affected by this development.

From these points spring some now familiar paradoxes: the demand for retention of local autonomy coincident with increased pressure for larger grants-in-aid from the Central Government and greater uniformity of services throughout the country as a whole; the often expressed fear of "bureaucracy" coupled with widespread evidence of public ignorance of the machinery of democratic government and apathetic or cynical assumptions about what "they" do.

If we turn back to the catalogue of services enumerated on pp. 7 and 8, it at once becomes evident that urban life certainly, and rural life only in less degree, would be impossible on the modern pattern without the continued social provision represented by those services. The absolute achievement of local government in the provision of utilities has been very great. But what is now in question is the character of the urban civilisation which the sanitary achievements of local government have made possible. Uncontrolled industrial development and freedom for the exercise of personal acquisitiveness have created within the sanitary framework an urban environment making further immense demands for remedial treatment. At the same time the inflation of land values in particular, and the retention of this form of unearned increment in private hands, has rendered it impossible within its present powers for even the most vigorous local authority to recast, in accordance with modern possibilities, the physical environment of the community it represents.

If we are to continue to think of local government as existing parallel to a predominantly individualistic economy, minor adaptations of its present machinery are probably all that are required because we are still thinking in nineteenth century terms. If, however, we think that the social and economic problems of the twentieth century can only be solved by re-harnessing individual effort to clearly conceived social purposes, it will be necessary to consider radical alterations in the field of local government.

These alternative approaches have in a measure been represented in recent years by a number of essays in "reconstruction". On the one hand are the suggestions of the various associations of local authorities concerned principally to argue the merits of one or other of the elements in the existing structure. The County Councils' Association seeks to maintain and extend a two-tier, major and minor authority structure; the Association of Municipal Corporations proclaims with little qualification the merits of a single all-purpose authority on the County Borough model.

The only serious effort to secure a new synthesis reconciling the needs

for the large areas of operation demanded by technical requirements of many services with the need for a continued representation at familiar levels, has come from the committee set up by the National Association of Local Government Officers—the professionals. This report recommended the establishment of a permanent Local Government Boundary Commission to survey the whole country and to make recommendations as to changes necessary to establish a new framework comprising the creation of all-purpose authorities for areas with populations of normally between 100,000 and 500,000. In urban areas there would be direct administration by the single all-purpose authority, but in rural areas, minor authorities of an urban character and population of over 20,000 would exercise (with Borough status), delegated powers in local matters. In smaller urban centres within predominantly rural areas local District Councils would be established and would act as District Committees of the all-purpose authorities. Finally the report suggested the establishment of Provincial Councils indirectly elected by the all-purpose authorities, to act as planning and co-ordinating agencies, whose recommendations would be mandatory.

An explicit statement of policy was made by the Coalition Government in January, 1945, in a White Paper (Cmd. 6579) entitled *Local Government in England and Wales during the period of reconstruction*.

This made it clear that the then government was not prepared to implement what one might call the "root and branch" proposals represented by the Nalگو report. Whilst recognising the difficulty of reconciling technically appropriate areas with boundaries of compendious authorities, they called attention to the powers already possessed and operated by local authorities to form joint boards and committees.

Accepting the need for a review of boundaries and status of authorities more comprehensive than is possible by county review procedure under the Local Government Act, 1933, the government still felt that the desired results could be obtained within the framework of the County-County Borough system. They hastened to disclaim any intention of making permanent the war-time expedient of Regional Commissioners, commenting ironically on the uniformity of local government opinion in this matter as opposed to its diversity on other scores. They considered that by adjustment rather than by reconstruction, and by a reconsideration of the grant system, the financial difficulties envisaged in the post-war years could be eased. They did not rule out the possibility of further transfers of functions from local to national direction, but contended that the remaining activities of local authorities would be more than sufficient to engage the authorities' attention. The way in which local authorities coped with large and unfamiliar tasks during the war years was taken as evidence of the resilience of the existing structure.

The effective proposal of the White Paper was the establishment of a Local Government Boundary Commission whose duties would supersede and extend the powers of County Councils. The Local Government (Boundary Commission) Act, 1945, gave statutory effect to this recommendation.

The Commission consists of five salaried members and is a body corporate charged with reviewing the circumstances of the areas into which England and Wales (apart from London) is divided for purposes of local government. Within the provisions of the Act it can alter areas where it thinks that is expedient.

Section 2 sets out in detail what the Commission can do by way of alterations. Broadly it can make any changes of status save extinguishing a municipal corporation or creating County Boroughs in the County of Middlesex. In addition it can divide or unite areas and adjust or alter boundaries. It will act on the direction of the Ministry of Health or in consequence of representations from County or County Borough Councils. County District applications must be made through the County Councils, but consideration must be given by the Commissioners and the Ministry to the views of County District Councils. The minimum population figure for conferment of County Borough status is fixed at 100,000.

Decisions of the Commission are to be embodied in orders, normally to be binding for a period of ten years. So far as they relate to Counties and County Boroughs, orders of the Commission require confirmation by Parliament.

The Minister of Health is required to prescribe general principles for the guidance of the Commissioners after consultation with the associations of local authorities and has also to make regulations as to procedure, including opportunities for objections to be considered and local enquiries held. An annual report of the proceedings of the Commission is to be submitted to the Minister of Health and laid by him before Parliament. The general principles prescribed for the Commissioners' guidance since the present government came into office do not suggest that the Boundary Commission is to be regarded as an instrument of revolutionary change in local government.

It will be seen that the government proposes to secure adequate areas of administration for the larger scale local government services by extending the existing device of joint committees or joint boards, as opposed to the Nalgo proposals for enlarging the basic units of local government and providing in addition, Provincial Councils, to act as planning and co-ordinating authorities. The difference between these two suggested solutions is not just a matter of a different administrative device. In the case of the Nalgo proposals regional, indirectly elected, bodies, would plan services for their areas as a whole—services being seen in relation to each other with the possibility of material and labour resources being allocated accordingly. The government's plan, in the light of the present trend of legislation, is to confine regionalism in local administration to individual services—a return to the old *ad hoc* approach on a much enlarged scale—or to transfer what have hitherto been local functions to central government departments, with their own regional machinery.

Thus in the important field of the personal health services, present legislation is vitally affecting the established functions both of major and minor authorities, by the establishment of Regional Boards appointed by the Minister of Health. This makes a considerable breach in the "democratic characteristic" outlined earlier. In the Education Act, 1944, direction and control by the Central Government is more explicitly stated than ever before, whilst the public utility services, electricity, gas and passenger transport are identified as projects for nationalisation with an implied diminution in the functions of the many local authorities now maintaining those services. A parallel tendency can be observed in the stripping away of functions from minor authorities: in the loss of educational responsibilities by some Non-County Borough and Urban District Councils; the abolition of small police forces and the withdrawal of autonomy from minor authorities in regard to maternity and child welfare and supervision of midwives. These developments confirm what was already observable before the war in the transfer of maintenance of the able-bodied poor to the Assistance Board and the control of trunk roads to the Ministry of Transport.

I have earlier suggested a relationship between mediæval guilds and town corporate bodies and have professed to detect a common emphasis in different fields of nineteenth century development.

So in our own time, current trends in local government certainly appear to reflect the same forces that have given rise to trust forms of industrial organisation and a growth in importance of central, as opposed to local, control in the trade union and co-operative movements and in friendly and approved societies.

COUNCILLORS AND COMMUNITY

If we accept the statement that the work of Local Authorities is fundamental to the maintenance of social activities, it would be reasonable to expect that each individual would take a keen interest in its working and exercise extreme selectivity in the choice of representative members of local Councils.

We should expect this all the more in that there has been, since the main structure of local authorities was completed in the 1890's, an accelerating growth in the range of activities—particularly of the larger authorities—arising from a new conception of the relationship between the state and the individual. Local authorities have become the executive agents of the "social service" state. Whereas the characteristic problems of the nineteenth century were the removal of gross defects of environment, and the protection of the community against infection by isolation of infectious persons, twentieth century legislation has been concerned to use the machinery of central and local government for enhancement of individual lives. This is exemplified in such services as housing, education, maternity and child welfare, the treatment of tuberculosis, the development of general hospitals and of mental treatment.

The earlier types of regulative functions have increased both in number and scope, and their importance has only declined in relation to the overall magnitude of the work of the authorities. But despite the increasing impact of community services on individual lives, there does not appear to have been any corresponding growth in public knowledge of, and interest in, the work of local authorities; and it seems clear, as was suggested earlier, that older ideas of community have been disintegrated by economic and social changes. In the search for a remedy, modern social planners—e.g., Mumford in America, Abercrombie in England—lay increasing stress on two elements of community, the *neighbourhood* and the *region*. Save in accidental circumstances, these two aspects are almost completely denied in the actual local administrative structure of to-day.

It may be useful to suggest for discussion the implication of the planner's analysis in terms of a possible re-casting of local government bodies, since it seems clear that we can no longer regard the small urban centre as a self-sufficing social entity, or accept the continued administrative divorce of such centres from their surrounding rural territory. Equally, however, we have come to recognise that the twentieth century "city," Mumford's "Megalopolis," requires to be broken down into smaller elements, such as the neighbourhood units which have been suggested in the County of London and other recent plans for physical and social reconstruction if the sense of community is to be refertilized.

A new administrative structure, more in harmony with the facts of social life, would seem to require recognition of three levels of administration which can conveniently be described as *neighbourhood*, *sub-regional*, and *regional*. The experience of the war in A.R.P. fire-watching, and national savings groups, reinforces the view that the neighbourhood—in quite a restricted sense—is the largest area in which "community" as an expression of willing co-operation for social ends, is capable of finding widespread personal expression, and suggests that this must be the foundation of participating, as distinct from passive, democracy.

Representative organs would be required at each of the three levels suggested. Neighbourhood Councils would be concerned with those amenity and cultural services which, in the words of Lewis Mumford, "enable people to do in large groups what they cannot do in the home." They could administer directly, small open spaces, recreation grounds, allotments, baths and places of local public meeting. They could provide a committee of management for libraries, health centres and other institutions located in their area which could more suitably be provided from the sub-regional level. By direct contact with consumer interest they would become a channel for suggestions and criticisms in relation to all public services by whatever level of authority provided.

The Sub-Region would comprise many present urban aggregates as well as mixed urban-rural groupings and would conform in a measure to the "All Purpose" authority of the Nalgo report. Because of physical and his-

torical factors, lines of demarcation as between the governing bodies of these areas and the neighbourhood councils could not be rigidly defined. Thus the sub-regional body in the smaller market and other towns, especially those possessing a long corporate history, might also serve as the neighbourhood council. Broadly, the sub-regional authority would deal with problems of immediate physical environment, the erection and management of houses, clearance of houses, trade and street refuse; with regulative functions, inspection of food and drugs, weights and measures, and safety of places of assembly. It would be the local planning and providing authority for education and libraries, and for the principal centres for social, cultural and health purposes. It would also be the principal markets authority, and in certain matters of a less personal character, requiring over-all planning at national or regional levels, highway maintenance, police and fire services, for example, it would enjoy an executive delegation. Within the present or a substituted system of local taxation it would be responsible both for assessment and collection.

The Regional authority would be a planning and co-ordinating body concerned with standards of service, uniformity of local taxation assessments and responsibility for the recruitment and training of all local government employees. It should become the organ of democratic control for nationalised public utility and other services, or at the least provide the substantial representation of consumer interests without which national agencies for these purposes may well deserve all the worst implications of the epithet "bureaucratic."

A movement towards any such solution of the dilemmas in which we now find ourselves has to take account of the standards and attitudes of the people who are active in the existing system of local government. Here again marked changes have occurred during the present century. The old tradition of "independent" members has, for practical purposes, come to an end although the description is still popular. Increasingly members are elected as nominees of political parties or of local groupings which, even if devoid of party labels, reflect pretty closely the general attitudes of the recognised parties to social issues. The trend towards a wider representation of direct wage and salary earners is likely to be reinforced by a breach with the traditional English practise of unremunerated public service, even when it results in loss of earnings.

A word should be said of the accusations frequently made, but rarely sustained, that members of local councils seek such membership in order to advance their personal interest. It is perhaps more true that they do frequently consider themselves to be representatives of sectional rather than general community interests. In addition, because of the difficulty of grasping the entire range of work of any of the larger authorities, keen members tend to centre their interest around one or two committees. This admitted, it cannot be denied that many observers would concur with R. H. Mottram's summary "then there were all those, the majority . . . of that or any other

representative gathering whose minds were nicely adjusted to some point of detail, to the exclusion of all else, but especially of any general conclusions whatever"⁹.

It has often been questioned whether the emergence of party political divisions in local councils has improved the general standard of membership. There is certainly a risk of members taking their stand on "caucus" decisions rather than on personal assessment of the merits of particular issues, and in reliance on "the party," thus seeking absolution from the penalty of acquiring knowledge which their position should rightly entail. On the other hand it is probably true that local government has always been dominated by "caucus" decisions frequently made by groups having no specific obligation to any section of the electorate at large. Local party grouping does at least ensure that members are called to answer to some live section of the community, and it provides an element of coherence for which the statutory framework makes little provision. Without this non-statutory relationship the elected member of a local authority to-day, only less than those who elect him, is liable to feel that he is personally impotent in the face of the size, complexity and impersonality of government.

It is inevitable that in day to day matters, which often involve intricate technical issues, the recommendations of full-time professional officers should readily be accepted by part-time representatives. It is in this way that the influence of the permanent official, despite the formal restriction of his personal initiative, is of profound importance.

The whole question of the relationship between representatives and officials needs re-examination. The growth of services has made essential an increasing employment of a core of highly qualified officials professionally and technically trained and a penumbra of semi-skilled and unskilled manual and clerical labour. It is to the credit of the officials and the discredit of elected members that until very recently the impetus towards recognised standards of qualification and post-entry training of staffs, has come almost entirely from the officials themselves. The local government service disposes of the talents of first class architects, accountants, engineers, doctors and scores of other professions. It has signally failed to train a public service in which the individual members in all grades are personally conscious of the particular quality of their work.

This failure assumes a special importance as one aspect of the overall problem of increasing social production. Because much of the work of local government does not issue in the form of tangible utilities it may appear that there is no need or place for the technical and psychological contribution which "joint production" committees can offer. On the contrary, the need for such an instrument is all the more urgent because of the absence of the traditional incentives of profit and dismissal, as industry in the face of a chronic man-power shortage is discovering.

⁹ *Europa's Beast*. R. H. Mottram.

The permanent employee in local government is a specialised citizen who requires first and foremost a specialised sense of his citizenship. Only from that can we hope to secure restriction of the numbers employed without deterioration of services, and in no field is it more important that management, as represented by Councillors and their principal advisers, should be fully alive to the insufficiency of a "scientific management" that fails to harness the conscious co-operation of the whole labour force.

From what has been sketched in this section, I would suggest the following issues as meriting discussion:—

1. The adjustments which are necessary in the administrative framework in order to give each individual a sense of personal potency in communal affairs, and to ensure that centralised efficiency does not destroy local democracy.
2. The extent and the way in which elected representatives can be encouraged to allocate a substantial proportion of their time and energy to the task of acquiring a wider knowledge of their functions and of serving as effective interpreters, on the one hand of communal needs, and on the other of the machinery and methods by which they can be met.
3. A re-examination of the relationship between members and officials in order to secure from the latter, not only technical service, but a special quality of responsible citizenship in virtue of their "reserved" economic status.

That we are reaching towards recognition of these issues, has been made plain by the publication of so many recent essays in "Reconstruction" and by the reception accorded to the *Report on the relations between local government and the community* prepared by the Reconstruction Committee of the National Association of Local Government Officers. From this have already sprung many instances of improved contact with the local press and public, including the appointment of some thirty public relations officers.

Finally, it should be remembered that the history of local government since the industrial revolution, records in almost every service, the importance of local voluntary initiative. Liverpool Cathedral commemorates, in stained glass, the Irishwoman who first established a primitive communal wash house; the maternity and child welfare service is firmly rooted in earlier voluntary activities whilst the education of adults which is vital to the maintenance of a complex society is still fertilised by the voluntary approach. Our councillors in this matter have a double duty in securing help for experiment, without accepting inadequate voluntary service as an excuse for neglect of statutory powers.

FURTHER INFORMATION

If this outline has served its purpose readers will wish to know more. The following list contains a number of books which are now out of print, but which are usually to be found in local libraries. Librarians are often willing to prepare local book lists and to make special displays of works on Local Government.

HISTORICAL

- | | | |
|---|---|---|
| <p><i>The Manor and the Borough</i>
 <i>The Parish and the County</i>
 <i>Statutory Authorities for Special Purposes</i>
 <i>English Poor Law History</i>
 <i>A Century of Municipal Progress</i>. H. J. Laski (Editor). Allen and Unwin, 1936. 21s.
 <i>The Common People, 1746-1938</i>. Cole and Postgate. Methuen, 1938. 8s. 6d.
 <i>Lord Shaftesbury</i>. John and Barbara Hammond. Pelican Books, 1939.
 <i>A Century of City Government—Manchester, 1838-1938</i>. S. D. Simon. Allen and Unwin, 1938. 12s. 6d.
 <i>A History of Local Government</i>. K. E. Smellie. Allen and Unwin, 1946. 7s. 6d.</p> | } | <p>Sidney and Beatrice Webb.
 Out of Print. Libraries only.</p> |
|---|---|---|
- Local Authorities, in connection with special events, e.g., on obtaining Charters of Incorporation, have produced local studies containing historical material, and it may be worth enquiring whether such a work has been produced in your own area. To celebrate the fiftieth year of County Council Government a number of counties produced special commemorative volumes, e.g., Lancashire and Middlesex.
- Particular reference is made to a book entitled *The Culture of Cities*, by Lewis Mumford, in which the problem of government in the modern community is examined with a wealth of historical detail.

AUTHORITIES AND THEIR POWERS

- English Local Government*. Dr. Hermann Finer. Methuen. 25s. (1947 Edition only recommended).
- Local Government in England*. E. L. Hasluck. Cambridge University Press, 1936. 12s. 6d.
- The A.B.C. of Local Government*. C. Kent Wright. Evans, 1939. 4s. 6d.
- Principles of Local Government Law*. Ivor Jennings. University of London Press, 1939. 7s. 6d.
- English Local Government Law*. H. T. Rose. Pitman, 1938. 10s. 6d.
- Local Services Past and Present*. A. L. Strachan. Cassell, 1939. 2s. 6d.
- Outlines of Local Government of the United Kingdom*. J. J. Clarke. Pitman, 1939. 6s.
- The Government and Misgovernment of London*. W. A. Robson. Allen and Unwin. 1939. 15s.
- Local Government in Scotland*. J. E. Shaw. Oliver and Boyd, 1942. 7s. 6d.
- The Educational System of England and Wales and its recent History*. H. Ward. Cambridge University Press, 1935. 8s. 6d.
- Public Health Services*. N. Wilson. Hodge, 1938. 8s. 6d.
- British Roads*. G. M. Boumphrey. Nelson, 1939. 3s.
- Public Control of Road Passenger Transport*. Manchester University Press, 1936. 8s. 6d.
- Public Enterprise Developments and Social Ownership and Control in Great Britain*. W. A. Robson (Editor). Allen and Unwin, 1937. 12s. 6d.
- Town Planning*. T. Sharp. Penguin Books, 1940.
- Housing Before the War and After*. M. J. Elsas. King and Staples, 1942. 5s.
- The Community and Social Services*. W. Blackshaw. Pitman, 1939. 7s. 6d.
- The Ratepayers' Money*. A. Collins. Allen and Unwin, 1936. 5s.
- A Study in English Local Authority Finance*. J. Sykes. King and Staples, 1939. 12s. 6d.

In addition to the above the Fabian Society have published numerous books and cheap pamphlets dealing with many aspects of Local Government. For points of legal detail refer to *Local Government Law and Administration in England and Wales*. 14 vols. and supplements. Butterworth and Co. Ltd.

PROBLEMS UNDER DISCUSSION

- Local Government in England and Wales in the Period of Reconstruction.* Cmd. 6579. Stationery Office.
- The Future of Local Government.* Labour Party, 1943. 2d.
- Local Government Reform: Final Report of the Executive Committee.* County Councils' Association, 1943. 6d.
- Re-organisation of Local Government: Report.* Association of Municipal Corporations, 1942. Single copies gratis.
- Memorandum on the Place of Urban District Councils in Local Government.* Urban District Councils' Association, 1943. 9d.
- Memorandum on the Place of Rural District Councils in Local Government.* Rural District Councils' Association, 1943. 9d.
- NALGO Reconstruction Committee: Interim Report on the Reform of Local Government.* National Association of Local Government Officers, 1943. 6d.
- NALGO Reconstruction Committee: Report on the Relation between Local Government and the Community.* National Association of Local Government Officers, 1945. 6d.
- County of London Plan.* J. H. Forshaw and P. Abercrombie. Macmillan, 1943. 12s. 6d.
- Report of Committee on Land Utilisation in Rural Areas.* The "Scott" Report. H.M. Stationery Office, 1942. 2s.
- Report of the Expert Committee on Compensation and Betterment.* The "Uthwatt" Report. H.M. Stationery Office, 1942. 2s. 6d.
- Report of the Royal Commission on the Distribution of the Industrial Population.* The "Barlow" Report. H.M. Stationery Office, 1939. 5s.
- Report on Social Insurance and Allied Services.* The "Beveridge" Report. H.M. Stationery Office, 1942. 2s.
- A National Health Service.* H.M. Stationery Office, 1944. 1s.

ACTS OF PARLIAMENT

Serious students should obtain Stationery Office copies of at least:—
The Local Government Act, 1933, and The Public Health Act, 1936.

OTHER W.E.A. PUBLICATIONS

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